

Approved November 29, 2007

Spencer County Plan Commission
Meeting Minutes
July 26, 2007

The Spencer County Plan Commission held its monthly meeting on Thursday July 26, 2007. Members in attendance were Nathan Helms, Pete Rapp, Jerry Embry, Steve Winsett, Steve Sisley and Phillip Schmidt Absent Al Logsdon, Rex Winchell and Scott Sublett.

Chairman Nathan Helms called the meeting to order at 6:43pm. A copy of last months minutes that was mailed out stand approved as presented.

Steve Sisley was introduced as a new Spencer County Plan Commission Board Member.

The purpose of this meeting is to discuss a proposed amendment to the Spencer County Zoning Ordinance to establish additional costs and procedures for the violation of any provision of the Zoning Ordinance. Attorney Frances Lueken explained the reason for requesting the amendment is so the County can collect reasonable cost including but not limited too: court cost, other personnel costs and attorney fees. Reason for the change is so fines can also be brought against the owner of any property who has furnished that property or permitted it to be placed on real estate in a manner which results in any violation of the ordinance. Lueken also stated that the amendment ordinance was modified after looking at Tell City's and Jasper's ordinance. Attorney Wetherill stated this is not going to affect any previous actions it will affect future violations.

After a lengthy discussion was held a motion made by Jerry Embry to take Section 11.3 Penalties to the Board of Commissioners and add the following paragraphs: In addition to the foregoing, every person or entity to be in violation of any regulation in or any provision of the Spencer County Zoning Ordinance, as amended from time to time, or any regulation enacted thereunder, shall also be held responsible for the reasonable costs of enforcement thereof, including attorney fees, other personnel costs, and court costs, in any action taken to enforce the provisions of the Spencer County Zoning Ordinance, as amended from time. Any action permitted to be commenced under this section against any owner and /or possessor of real estate may also be brought against the owner of any personal property who has furnished that property or permitted it to be placed on real estate in a manner which results in any violation of the Spencer County Zoning Ordinance, as amended from time to time, 2nd by Steve Sisley, all in favor. Motion carried.

Jerry Embry made a motion to appoint Nathan Helms President, 2nd by Pete Rapp, all in favor. Motion Carried.

Pete Rapp made a motion to appoint Steve Winsett for Vice President, 2nd by Jerry Embry, all in favor. Motion carried.

Francis Lueken addressed the board on Stormwater Drainage Control Ordinance the Commissioners, County Engineer and Berardin Lochmueller and Associates are working on. They have found a state statute IC 36-9-28.5-3 pertaining to Counties, Towns and Cities to adopt a policy for management of Storm Water run off from developed real property. The drainage board will be the one to administer the ordinance.

Jerry Embry made a motion to adjourn the meeting, 2nd by Pete Rapp, all in favor. Meeting adjourns at 7:10pm.

Next meeting August 23, 2007 at 6:00 pm,

tc/ej